

Senate File 2212 - Introduced

SENATE FILE 2212

BY BEALL

A BILL FOR

1 An Act requiring disclosure of certain amphetamine and
2 methamphetamine information in real estate transactions and
3 making penalties applicable.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 558A.4, subsection 1, Code 2009, is
2 amended to read as follows:

3 1. The disclosure statement shall include information
4 relating to the condition and important characteristics
5 of the property and structures located on the property,
6 including significant defects in the structural integrity of
7 the structure, as provided in rules which shall be adopted
8 by the real estate commission pursuant to section 543B.9.
9 The rules may require the disclosure to include information
10 relating to the property's zoning classification; the
11 condition of plumbing, heating, or electrical systems; or the
12 presence of pests. The rules shall require the disclosure
13 to include information relating to the previous manufacture
14 of amphetamine, its salts, isomers, or salts of isomers, or
15 methamphetamine, its salts, isomers, or salts of isomers, on
16 the property in violation of section 124.401, subsection 1.

17 EXPLANATION

18 This bill requires the disclosure statement for real estate
19 transactions under Code section 558A.4 to include information
20 relating to the previous manufacture of amphetamine, its salts,
21 isomers, or salts of isomers, or methamphetamine, its salts,
22 isomers, or salts of isomers, on the property in violation of
23 Code section 124.401.

24 Code section 714.8 provides that a contract seller who
25 intentionally provides inaccurate information with regard
26 to any matter required to be disclosed under Code section
27 558A.4 is guilty of a fraudulent practice. The amount of
28 money or value of property or services involved determines the
29 applicable criminal penalty, ranging from a simple misdemeanor
30 to a class "C" felony.